

from the standard of strength as determined by the test laid down in the said pharmacopoeia, and its own standard of strength was not stated on the container.

On June 30, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18663. Adulteration and misbranding of Uncle Jerry's salve. U. S. v. 54 Large Boxes, et al., of Uncle Jerry's Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 28055, 28056. I. S. Nos. 14178, 14179, 14180. S. Nos. 4345, 4346.)

Examination of samples of a drug product, known as Uncle Jerry's salve, from one of the shipments herein described having shown that the article was represented to be antiseptic, whereas it was not, also that it was labeled as possessing curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On March 21, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 54 large-sized boxes and 69 small-sized boxes of Uncle Jerry's salve, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Jerry Hubbard Co., from Miami, Okla., in part on or about September 2, 1930, and in part on or about January 6, 1931, and had been transported from the State of Oklahoma into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum, linseed oil, rosin, Peru balsam, and volatile oils including cassia oil and sassafras oil. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard of "antiseptic," under which it was sold.

Misbranding was alleged for the reason that the statement on the circular, "Antiseptic—The ingredients of Car-nur-lee-yea-tee are thoroughly antiseptic * * * This Salve is * * * a good antiseptic," were false and misleading. Misbranding was alleged for the further reason that the following statements borne on the carton and box and in the circular, regarding the curative or therapeutic effects of the said article, were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "For Inflammations, Sore Throat, Neuralgia, Asthma, Catarrh, Lung Trouble, Croup, Coughs * * * Granules * * * Most ailments are cured by a free application to the parts affected * * * Eat salve for Rheumatism, Lung and Stomach Trouble;" (circular) "There is nothing better for fresh cuts caused by old Rusty Nails, etc. Asthma—Asthma is caused by an Irritation of the nerves in the throat and the oils in Uncle Jerry's Salve relieves this irritation thus giving relief. * * * Backache (See Kidney Trouble) * * * Bronchitis (Cold in the chest)—Is an inflammation in the Bronchial Tubes with sore throat and hoarseness and the oils of the Uncle Jerry's Salve will give prompt, efficient relief * * * Bunions * * * Caked Breasts * * * Carbuncles—Eat Car-nur-lee-yea-tee to purify the blood. Catarrh * * * Croup—Applications of Car-nur-lee-yea-tee to the chest and throat of the child threatened with the Croup or to one subject to it, will generally prevent it. In case of Diphtherial Croup, if a physician cannot be had promptly, get the child to eat some of the salve and also burn it on a hot stove lid and have the child breathe the fumes. * * * Congestion of Bowels—Take internally and apply externally. Consumption—Eating Car-nur-lee-yea-tee purifies the blood and reaches the lungs to a certain extent as you will find by eating that it stays on the breath for quite a while, so portions of it reaches the cells of the Lungs. The vegetable oils in Car-nur-lee-yea-tee are very healing and in time heal the sores in the lungs. Coughs (See Bronchitis, etc.) * * * Felons * * * Granulated Lids * * * Inflammation * * * Kidney Disease—Eat a piece of salve the size of the end of the little finger several times a day and apply freely to the back and heat in. Lamé Back—Apply Car-nur-lee-yea-tee and warm in. Lungs—(Congestion, etc.)—Will be relieved by the thorough application of Uncle Jerry's Salve * * * Neuralgia * * * Old Sores * * * Piles * * * Pleurisy—Eat the

salve, apply externally and warm in. Pneumonia—An inflammation of the lung tissue, begins with a severe chill, followed by a high fever, a dry, painful cough sets in and in a few days a tough dark mucus is raised which sometimes has an offensive odor. As soon as possible apply the salve to the chest and feet, warming it with hot cloths, thus starting a generous circulation * * * Rheumatism—Eat the salve several times a day and apply locally to parts affected. Roup in Chickens—Apply externally to chicken's head and force it to eat some salve several times a day. Skin Affections—Apply Car-nur-lee-yea-tee. Sore Throat—Bronchitis, Colds, etc.;" (box label) "For all Fevers, Inflammations, Sore Throat, Lungs, Headache, Piles, Catarrh, Rheumatism, Old Sores, Burns, Kidney Trouble and Croup."

On June 30, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18664. Adulteration and misbranding of ether. U. S. v. Thirty-two 1-Pound Cans of Ether. Default decree of destruction. (F. & D. No. 25741. I. S. No. 20846. S. No. 3975.)

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the District of Minnesota.

On January 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of thirty-two 1-pound cans of ether, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by Merck & Co., from Newark, N. J., on or about July 31, 1930, and had been transported from the State of New Jersey into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether for Anesthesia. U. S. P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by test laid down in the said pharmacopoeia official at the time of investigation, in that it contained peroxide, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Ether for Anesthesia U. S. P.," was false and misleading.

On March 24, 1931, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18665. Misbranding of Ulcicur. U. S. v. 11 Bottles, et al., of Ulcicur. Default decrees of condemnation and destruction. (F. & D. Nos. 26270, 26450. I. S. Nos. 25153, 26328. S. Nos. 4539, 4713.)

Examination of the drug product Ulcicur from the interstate shipments herein described having shown that the carton and bottle labels and accompanying circulars bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the proper United States attorneys.

On April 29, 1931, the United States attorney for the Southern District of Indiana filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 bottles of Ulcicur at Indianapolis, Ind., and on May 29, 1931, the United States attorney for the Southern District of Iowa filed in the District Court of the United States a libel praying seizure and condemnation of 4 bottles of the said Ulcicur at Iowa City, Iowa. It was alleged in the libels that the article had been shipped by the Ulcicur Co. (Inc.), from Chicago, Ill., the former on or about January 27, 1931, and the latter on or about February 7, 1931, that it had been transported from the State of Illinois into the States of Indiana and Iowa, respectively, that it remained in the original unbroken packages, and that it was misbranded in violation of the food and drugs act as amended.

Examinations of samples taken from these consignments showed that the article consisted of a liquid and a powder. The liquid was composed of extracts of plant drugs including a bitter drug such as gentian, alcohol, glycerin, sugar, and water; the powder consisted of bismuth subnitrate.